

APR 27 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

HONGLING WANG,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-71188

Agency No. A075-674-146

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted April 13, 2009^{**}

Before: GRABER, GOULD, and BEA, Circuit Judges.

Hongling Wang, a native and citizen of China, petitions for review of the Board of Immigration Appeals (“BIA”) order denying her motion to reopen. Our

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

jurisdiction is governed by 8 U.S.C. 1252. We deny in part and dismiss in part the petition for review.

Wang has waived any challenge to the BIA's February 9, 2006 order. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (issues which are not specifically raised and argued in a party's opening brief are waived).

To the extent Wang challenges the BIA's April 1, 2003 order, this petition is not timely as to that order. *See* 8 U.S.C. § 1252(b)(1); *Singh v. INS*, 315 F.3d 1186, 1188 (9th Cir. 2003); *see also Martinez-Serrano*, 94 F.3d at 1258 (the filing of a motion to reopen does not toll the period for filing a petition for review of an underlying order of removal).

PETITION FOR REVIEW DENIED in part; DISMISSED in part.